

Appl. No. 09/491,500

Response dated March 15, 2005

Reply to Office Communication dated March 7, 2005

**Listing of Claims**

1. (previously presented) A method of delivering a medicant to an abnormal brain region in a mammalian subject, comprising: administering to a mammalian subject having an abnormal brain region an agonist of an ATP-sensitive potassium channel, under conditions and in an amount sufficient to increase the permeability to the medicant of a capillary or arteriole delivering blood to cells of the abnormal brain region; and administering to the subject simultaneously or substantially simultaneously with the agonist the medicant, so that the medicant is delivered selectively to the cells of the abnormal brain region compared to normal brain regions.

2. (original) The method of Claim 1, wherein the abnormal brain region is a region of brain tissue physiologically affected by injury, trauma, infection, stroke, or ischemia.

3. (previously presented) The method of Claim 1, wherein the abnormal brain region is tumor tissue.

4. (previously presented) The method of Claim 1, wherein the potassium channel agonist is minoxidil.

5. (previously presented) The method of Claim 1, wherein said mammal is a human.

6. (previously presented) The method of Claim 1, wherein the medicant is a therapeutic cytotoxic agent.

Claim 7-10 cancelled.

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11. (currently amended) The method of Claim 1, wherein ~~administering~~ the agonist is administered by intravenous or intra-arterial infusion or injection.

12. (currently amended) The method of Claim 1, wherein ~~administering~~ the agonist is administered by intracarotid infusion or injection.

13. (previously presented) The method of Claim 1, wherein the agonist is administered to the mammalian subject by a bolus injection.

14. (previously presented) The method of Claim 1, wherein the agonist is administered to the mammalian subject in an amount from about 0.075 to 1500 micrograms per kilogram body mass.

15. (previously presented) The method of Claim 14, wherein the agonist is administered to the subject in an amount from about 0.075 to 150 micrograms per kilogram body mass.

16. (previously presented) The method of Claim 1, wherein the agonist is administered to the mammalian subject at a dose rate of about 0.075 to about 100  $\mu\text{g kg}^{-1} \text{ min}^{-1}$  for up to about 30 minutes.

17. (previously presented) The method of Claim 16, wherein the agonist is administered to the mammalian subject at a dose rate of about 0.075 to about 15  $\mu\text{g kg}^{-1} \text{ min}^{-1}$ .

18. (previously presented) A method of selectively delivering a medicant to an abnormal brain region in a mammalian subject, comprising: administering to a mammalian

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subject having an abnormal brain region an agonist of an ATP-sensitive potassium channel, under conditions and in an amount sufficient to increase potassium flux through an ATP-sensitive potassium channel in an endothelial cell membrane of a capillary or arteriole delivering blood to cells of the abnormal brain region, whereby the capillary or arteriole is made more permeable to the medicant; and administering to the subject simultaneously or substantially simultaneously with the agonist the medicant, so that the medicant is delivered selectively to the cells of the abnormal brain region compared to normal brain regions.

Claims 19-96 cancelled.

97. (withdrawn) A pharmaceutical composition comprising a combination of an agonist of an ATP-sensitive potassium channel, formulated in a pharmaceutically acceptable solution together with a therapeutic cytotoxic agent for delivery by intravascular infusion or injection into a mammal.

98. (withdrawn) The pharmaceutical composition of Claim 97, wherein the agonist is present in an amount of about 0.075 to 1500 micrograms per kilogram body.

99. (withdrawn) The pharmaceutical composition of Claim 97, wherein the agonist is present in an amount of about 0.075 to 150 micrograms per kilogram body.

100. (withdrawn) The pharmaceutical composition of Claim 97, wherein the agonist is minoxidil.

Claims 101-105 cancelled.

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106. (withdrawn) The pharmaceutical composition of Claim 97, further comprising a buffer solution pharmaceutically acceptable for intravascular infusion into a mammal.

107. (withdrawn) The pharmaceutical composition of Claim 106, wherein the buffer solution is phosphate buffered saline.

108. (withdrawn) A kit for enhancing the delivery of a medicant to an abnormal brain region, comprising: an agonist of an ATP-sensitive potassium channel, and instructions for using the agonist for enhancing the delivery of a medicant to an abnormal brain region by increasing the permeability of a capillary or arteriole delivering blood to cells of the abnormal brain region.

109. (withdrawn) The kit of Claim 108, wherein the potassium channel agonist is minoxidil.

110. (previously presented) The method of Claim 1, wherein the agonist is minoxidil sulfate.

111. (previously presented) The method of Claim 1, wherein the agonist is diazoxide.

112. (previously presented) The method of Claim 1, wherein the agonist is pinacidil.

113. (previously presented) The method of Claim 1, wherein the agonist is cromakalim.

114. (previously presented) The method of Claim 1, wherein the agonist is levocromakalim.

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115. (previously presented) The method of Claim 1, wherein the abnormal brain region is a region of brain tissue physiologically affected by stroke.

116. (previously presented) The method of Claim 1, wherein the abnormal brain region is a region of brain tissue physiologically affected by ischemia.

117. (previously presented) The method of Claim 1, wherein the abnormal brain region is a region of brain tissue physiologically affected by injury or trauma.

118. (previously presented) The method of Claim 1, wherein the abnormal brain region is a region of brain tissue physiologically affected by infection.

119. (previously presented) The method of Claim 1, wherein the abnormal brain region is a region of benign tumor tissue.

120. (previously presented) The method of Claim 1, wherein the abnormal brain region is a region of malignant tumor tissue.

121. (previously presented) The method of Claim 1, wherein the abnormal brain region includes a glioma, glioblastoma, oligodendroglioma, astrocytoma, ependymoma, primitive neuroectodermal tumor, atypical meningioma, malignant meningioma, neuroblastoma, sarcoma, melanoma, lymphoma, or carcinoma.

122. (previously presented) The method of any of Claim 1, wherein the medicant is administered via intravenous, intramuscular, intra-arterial, or intracarotid injection or infusion.

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123. (previously presented) The method of any Claim 1, wherein the agonist and the medicant are administered via intracarotid infusion or injection.

124. (withdrawn) The method of Claim 1, wherein the medicant is a protein.

125. (withdrawn) The method of Claim 1, wherein the medicant is a monoclonal antibody or antigen-binding antibody fragment.

126. (withdrawn) The method of Claim 1, wherein the medicant is a cytokine, cytokine antagonist, or cytokine agonist.

127. (withdrawn) The method of Claim 1, wherein the medicant is an interferon.

128. (withdrawn) The method of Claim 1, wherein the medicant is interleukin-2.

129. (withdrawn, currently amended) The method of Claim 1, wherein the medicant is transforming growth factor- $\beta$  beta.

130. (withdrawn, currently amended) The method of Claim 1, wherein the medicant is a tumor necrosis factor- $\alpha$  alpha.

131. (withdrawn) The method of Claim 1, wherein the medicant is an antimicrobial agent or an antibiotic.

132. (withdrawn) The method of Claim 1, wherein the medicant is an immunotoxin or immunosuppressant.

133. (withdrawn) The method of Claim 1, wherein the medicant is a boron compound.

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134. (withdrawn) The method of Claim 1, wherein the medicant is an ischemia-protective agent.

135. (withdrawn, currently amended) The method of Claim 134, wherein the ischemia-protective agent is N-methyl-D-aspartate (NMDA) receptor antagonist.

136. (withdrawn) The method of Claim 1, wherein the medicant is an adrenergic agent.

137. (withdrawn) The method of Claim 1, wherein the medicant is an anticonvulsant.

138. (withdrawn) The method of Claim 1, wherein the medicant is an anti-trauma agent.

139. (previously presented) The method of Claim 1, wherein the medicant is cisplatin or carboplatin.

140. (withdrawn) The method of Claim 1, wherein the medicant is methotrexate.

141. (withdrawn, currently amended) The method of Claim 1, wherein the medicant is 5-fluoreouracil fluorouracil.

142. (withdrawn) The method of Claim 1, wherein the medicant is amphotericin.

143. (withdrawn) The method of Claim 1, wherein the medicant is daunorubicin.

144. (withdrawn) The method of Claim 1, wherein the medicant is doxorubicin.

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145. (withdrawn) The method of Claim 1, wherein the medicant is vincristine.
146. (withdrawn) The method of Claim 1, wherein the medicant is vinblastine.
147. (withdrawn) The method of Claim 1, wherein the medicant is busulfan.
148. (withdrawn) The method of Claim 1, wherein the medicant is chlorambucil.
149. (withdrawn) The method of Claim 1, wherein the medicant is cyclophosphamide.
150. (withdrawn) The method of Claim 1, wherein the medicant is melphalan.
151. (withdrawn) The method of Claim 1, wherein the medicant is ethyl  
ethanesulfonic acid.
152. (withdrawn) The method of Claim 1, wherein the medicant is a diagnostic agent.
153. (previously presented) A method of delivering a medicant to an abnormal brain region in a mammalian subject, comprising: administering simultaneously or substantially simultaneously to a mammalian subject having an abnormal brain region (i) minoxidil or minoxidil sulfate and (ii) a medicant, under conditions and in an amount sufficient to increase the permeability to the medicant of a capillary or arteriole delivering blood to cells of the abnormal brain region, so that the medicant is delivered selectively to the cells of the abnormal brain region compared to normal brain regions.
154. (previously presented) A method of delivering a therapeutic cytotoxic agent to an abnormal brain region in a mammalian subject, comprising: administering simultaneously or



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substantially simultaneously to a mammalian subject having an abnormal brain region (i) minoxidil or minoxidil sulfate and (ii) a therapeutic cytotoxic agent, under conditions and in an amount sufficient to increase the permeability to the medicant of a capillary or arteriole delivering blood to cells of the abnormal brain region, so that the medicant is delivered selectively to the cells of the abnormal brain region compared to normal brain regions.

155. (previously presented) The method of Claim 153, wherein the medicant is cisplatin or carboplatin.

156. (withdrawn) The method of Claim 153, wherein the medicant is methotrexate.

157. (withdrawn, currently amended) The method of Claim 153, wherein the medicant is ~~5-fluorouracil~~ fluorouracil.

158. (withdrawn) The method of Claim 153, wherein the medicant is amphotericin.

159. (withdrawn) The method of Claim 153, wherein the medicant is daunorubicin

160. (withdrawn) The method of Claim 153, wherein the medicant is doxorubicin.

161. (withdrawn) The method of Claim 153, wherein the medicant is vincristine or vinblastine.

162. (withdrawn) The method of Claim 153, wherein the medicant is busulfan.

163. (withdrawn) The method of Claim 153, wherein the medicant is chlorambucil.

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164. (withdrawn) The method of Claim 153, wherein the medicant is cyclophosphamide.

165. (withdrawn) The method of Claim 153, wherein the medicant is melphalan.

166. (withdrawn) The method of Claim 153, wherein the medicant is ethyl ethanesulfonic acid.

167. (withdrawn, currently amended) The pharmaceutical composition of Claim 97, wherein the agonist is ~~mioxidil~~ minoxidil.

168. (withdrawn) The pharmaceutical composition of Claim 97, wherein the agonist is minoxidil sulfate.

169. (withdrawn) The pharmaceutical composition of Claim 97, wherein the agonist is cromakalim.

170. (withdrawn) The pharmaceutical composition of Claim 97, wherein the agonist is pinacidil.

171. (withdrawn) The pharmaceutical composition of Claim 97, wherein the agonist is diazoxide.

172. (withdrawn) The pharmaceutical composition of Claim 97, wherein the agonist is levromakalim.

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173. (withdrawn) The pharmaceutical composition of Claim 97, wherein the therapeutic cytotoxic agent is cisplatin or carboplatin.

174. (withdrawn) The pharmaceutical composition of Claim 97, wherein the therapeutic cytotoxic agent is 5-fluorouracil.

175. (withdrawn) The pharmaceutical composition of Claims 97, wherein the therapeutic cytotoxic agent is methotrexate.

176. (withdrawn, currently amended) The pharmaceutical composition of Claim 97, wherein the therapeutic cytotoxic agent is ~~amphotenein~~ amphotericin.

177. (withdrawn) The pharmaceutical composition of Claim 97, wherein the therapeutic cytotoxic agent is daunorubicin, doxorubicin, vincristine, vinblastine, busulfan, chlorambucil, cyclophosphamide, melphalan, or ethyl ethanesulfonic acid.

178. (withdrawn) A pharmaceutical composition comprising a combination of an agonist of an ATP sensitive potassium channel formulated together in a pharmaceutically acceptable solution together with a drug for delivery by intravascular infusion or injection, wherein the drug is a protein, antimicrobial agent, antibiotic, interferon, cytokine, cytokine agonist, cytokine antagonist, monoclonal antibody, antigen-binding antibody fragment, immunotoxin, immunosuppressant, ischemia-protective agent, adrenergic agent, boron compound, anti-convulsant, anti-trauma agent or diagnostic agent.

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179. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is a protein.

180. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is an antimicrobial agent.

181. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is a cytokine.

182. (withdrawn) The pharmaceutical composition of Claim 178, wherein the cytokine is interleukin-2.

183. (withdrawn, currently amended) The pharmaceutical composition of Claim 181, wherein the cytokine is transforming growth factor-~~43~~ beta.

184. (withdrawn, currently amended) The pharmaceutical composition of Claim 191, wherein the cytokine is tumor necrosis factor-alpha.

185. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is an interferon.

186. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is a monoclonal antibody or antigen-binding antibody fragment.

187. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is an immunotoxin or immunosuppressant.

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188. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is an ischemia-protective agent.

189. (withdrawn) The pharmaceutical composition of Claim 189, wherein the ischemia-protective agent is N-methyl-D-aspartate (NMDA) receptor antagonist.

190. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is an adrenergic agent.

191. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is a boron compound.

192. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is an anti-convulsant.

193. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is an anti-trauma agent.

194. (withdrawn) The pharmaceutical composition of Claim 178, wherein the drug is a diagnostic agent

195. (withdrawn) The kit of Claim 108, wherein the agonist is minoxidil sulfate.

196. (withdrawn) The kit of Claim 108, wherein the agonist is pinacidil.

197. (withdrawn) The kit of Claim 108, wherein the agonist is cromakalim.

198. (withdrawn) The kit of Claim 108, wherein the agonist is levromakalim.